

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted to Group Art Unit 2817, 703-872-9306 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David V. Mulvaney
Date: March 2, 2004

Patent
36856.885

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fumitoshi SATO	Art Unit: 2817-
Serial No.: 09/731,004	Examiner: A. Kinhead
Filed: December 6, 2000	
Title: OSCILLATOR	

INFORMATION DISCLOSURE STATEMENT

U.S. PATENT AND TRADEMARK OFFICE
2011 South Clark Place
Customer Window, Mail Stop 313(c)
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, submitted herewith are copies of seven (7) references cited in the enclosed Notification of Reasons for Rejection issued in a corresponding Japanese Patent Application. For the Examiner's convenience, we have enclosed an English translation of the Japanese Notification of Reasons for Rejection from the corresponding Japanese Patent Application and a completed Form PTO-1449.

The relevance of the non-English language references JP 47-45457 and JP 58-40913 are set forth in the English translation of the Japanese Notification of Reasons for Rejection enclosed herewith.

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The statement is not a representation that all of the information cited is necessarily effective as prior art against the application.

I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this statement, and that this is the first citation of these prior art references by a foreign patent office in a counterpart foreign patent application. Accordingly, no fee is necessary for the filing of this statement. Should the Commissioner determine otherwise, the Commissioner is authorized to charge Deposit Account No. 50-1353 for any fee shortages, including the petition fee under 37 C.F.R. § 1.17(p).

Applicant(s) respectfully request(s) that the disclosed reference(s) be made of record in the subject application.

Respectfully submitted,

Date: March 2, 2004



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PTO/SB/08A (04-03)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	09/731,004
Filing Date	December 6, 2000
First Named Inventor	Fumitoshi SATO
Art Unit	2817
Examiner Name	A. Kinkhead
Attorney Docket Number	38856.885

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner
Signature

Date
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered, include copy of this form with next communication to applicant.

1. Applicant unique citation designation number (optional). ²See Kind Codes of USPTO Patent documents at www.uspto.gov or MPEP 901.04. ³Enter the serial number of the document by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Abstract is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14.



File No. JP-2002846

Dispatch No. 047807

1/

Dispatch Date: February 17, 2004

NOTIFICATION OF REASONS FOR REJECTION

[Stamp: Received, 2/16/04, Okada Patent Office]

Patent Application No.:	Patent Application No. 2000-143686
Draft Date:	February 6, 2004
Patent Office Examiner:	Masaaki Kobayashi 4241 5W00
Agent of Patent Applicant:	Masahiro Okada
Applicable Sections:	Section 29 (2)

The present application should be rejected for the following reasons. If you have an opinion concerning this, please submit a statement of opinion within 60 days of the date of dispatch of this notification.

Reasons

A. The inventions claimed in Claims 1 through 8 of the present application are inventions that could easily have been invented prior to the filing of the application by a person having an ordinary knowledge of the technical field to which the inventions belong on the basis of inventions described in Publications 1 through 4 listed below, which were disseminated in Japan or in foreign countries prior to the filing of the application, or inventions that have become accessible to the public through electrical communication lines. Thus, in accordance with the provisions of Section 29 (2) of the Patent Law, these inventions cannot be patented.

B. The inventions claimed in Claims 1 through 8 of the present application are inventions that could easily have been invented prior to the filing of the application by a person having an ordinary knowledge of the technical field to which the inventions belong on the basis of inventions described in Publications 5 through 7 listed below, which were disseminated in Japan or in foreign countries prior to the filing of the application, or inventions that have become accessible to the public through electrical communication lines. Thus, in accordance with the provisions of Section 29 (2) of the Patent Law, these inventions cannot be patented.

Note

1. Japanese Patent Application Kokai No. S47-45457
2. Japanese Utility Model Application Kokoku No. S53-34833
3. Japanese Patent Application Kokai No. H3-66213
4. Japanese Patent Application Kokai No. H11-298244
(No particular difference is recognized between the inventions of the present application and the inventions described in Publications 1 through 4 above.)
Furthermore, the use of a dielectric or piezoelectric [material] to form an element having a frequency characteristic is so universally known that there is no need to cite any example.
Moreover, the formation of an MMIC and the use of a resin substrate or a ceramic substrate as a circuit board are also so universally known that there is no need to cite any example.)
5. Microfilm of Japanese Utility Model Application No. S56-134194 (Japanese Utility Model Application Kokai No. S58-40913)

[Stamp: 2/23/04, Kumiko Saitoh]

File No. JP-2002846

Dispatch No. 047807

2/E

Dispatch Date: February 17, 2004

6. Japanese Patent Application Kokai No. S58-71707
7. Japanese Patent Application Kokai No. H1-162404

(Publication 5 above indicates a demand for eliminating unnecessary frequency components other than the oscillation frequency in an oscillator that includes a resonant circuit and an amplifier circuit.

Publications 6 and 7 above describe an amplifier circuit in which the provision of an element having a frequency characteristic allows only a certain frequency band to be amplified and the level of amplification of frequencies outside of the above-mentioned certain frequency band to be lowered. Therefore, it is self-evident that the above-mentioned amplifier circuit is capable of eliminating unnecessary frequency components.

Furthermore, as is indicated in Publication 5 above, the oscillator is constructed from a resonant circuit and an amplifier circuit, so that it is universally known that the characteristic of the amplifier circuit is one factor for determining the characteristic of the oscillator.

Accordingly, a person skilled in the art could easily envision the use of an amplifier circuit [of the type] described in Publications 6 or 7 above in order to eliminate unnecessary frequency components other than the oscillation frequency in the oscillator described in Publication 5 above as well.

With regard to the amplification, furthermore, setting the amplification at the level so that unnecessary frequency components are not output is self-evident; therefore, lowering the amplification by 3 dB is also a matter that could be appropriately devised by a person skilled in the art.

Furthermore, the use of a dielectric or piezoelectric [material] to form an element having a frequency characteristic is so universally known that there is no need to cite any example.

Moreover, the formation of an MMIC and the use of a resin substrate or a ceramic substrate as a circuit board are also so universally known that there is no need to cite any example.)

If reasons for rejection are newly discovered, you will be notified of these reasons for rejection.

Record of Results of Survey of Prior Art References

- Field surveyed: IPC 7th Edition H03B5/00-5/28
- Prior Art References: Japanese Patent Application Kokai No. H8-148933

This record of the results of a survey of prior art references does not constitute any reason for rejection.

Inquires:
Patent Examination Department 4, Transfer Systems
TEL. 03 (3581) 1101, extension 3575

整理番号 JP-2002846

発送番号 047807 1/
発送日 平成16年 2月17日

拒絶理由通知書

特許出願の番号	特願2000-143686
起案日	平成16年 2月 6日
特許庁審査官	小林 正明
特許出願人代理人	岡田 全啓 様
適用条文	第29条第2項

4241 5W00



この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

理 由

- A. この出願の請求項1～8に係る発明は、その出願前日本国内又は外国において頒布された下記1～4の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。
- B. この出願の請求項1～8に係る発明は、その出願前日本国内又は外国において頒布された下記5～7の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記

1. 特開昭47-45457号公報
2. 実公昭53-34833号公報
3. 特開平3-66213号公報
4. 特開平11-298244号公報

(本願発明と上記刊行物1～4に示されるものとの格別な差異は、認められない。)

なお、周波数特性を有する素子として、誘電体、圧電体で形成されたものは、例を挙げるまでもなく周知である。

また、MMIC化すること、回路基板を樹脂基板、セラミック基板とすることも、例を挙げるまでもなく周知である。)

5. 実願昭56-134194号(実開昭58-40913号)のマイクロフィ



整理番号 J P - 2 0 0 2 8 4 6

発送番号 0 4 7 8 0 7 2/E
発送日 平成16年 2月17日

ルム

6. 特開昭58-71707号公報

7. 特開平1-162404号公報

(上記刊行物5には、共振回路と増幅回路とを含む発振器において、発振周波数以外の不要な周波数成分をなくしたい要請が示されている。

上記刊行物6、7には、増幅回路において、周波数特性を有する素子を設けることにより、特定の周波数帯のみを増幅し、該特定の周波数帯以外の増幅度を低下させるものが示されており、前記増幅回路が不要な周波数成分をなくすることができることは、自明である。

そして、上記刊行物5に示されるように、発振器は、共振回路と増幅回路で構成されているものであり、増幅回路の特性が発振器の特性の決める一因であることは、周知である。

したがって、上記刊行物5に示される発振器においても、発振周波数以外の不要な周波数成分をなすために、上記刊行物6、7に示される増幅回路を用いることは、当業者が容易に想到し得ることである。

なお、増幅度については、不要な周波数成分が出力されない程度の増幅度とすることは自明であり、3dB低下とすることも当業者が適宜なし得る事項である。

そして、周波数特性を有する素子として、誘電体、圧電体で形成されたものは、例を挙げるまでもなく周知である。

また、MMIC化すること、回路基板を樹脂基板、セラミック基板とすることも、例を挙げるまでもなく周知である。)

拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

先行技術文献調査結果の記録

・調査した分野 IPC第7版 H03B5/00-5/28

・先行技術文献 特開平8-148933号公報

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

問い合わせ先

特許審査第四部伝送システム

TEL. 03 (3581) 1101 内線 3575